

# Exhibit 76

1 IN THE UNITED STATES DISTRICT COURT  
2 MIDDLE DISTRICT OF NORTH CAROLINA  
3 EASTERN DIVISION  
4 Civil Action No.: 1:14-CV-00954-LCB-JLW  
5 -----  
6 STUDENTS FOR FAIR ADMISSIONS, INC.,  
7 Plaintiff,  
8 vs.  
9 UNIVERSITY OF NORTH CAROLINA, et al.,  
10 Defendants.

10 -----  
11  
12 DEPOSITION OF  
13 JARED ROSENBERG  
14 September 14, 2016  
15 9:00 a.m.  
16 University of North Carolina  
17 110 Bynum Hall  
18 222 East Cameron Avenue  
19 Chapel Hill, North Carolina  
20  
21  
22  
23  
24  
25

1 applications, communicating with them.

2 Q. Does Mr. Hamilton have any  
3 responsibility for the reading, the review of  
4 applications?

5 A. No.

6 Q. It's limited to just records and  
7 completeness?

8 A. Yes, uh-huh.

9 Q. You've been handed what's been marked as  
10 Exhibit 2 for this deposition. For the record,  
11 I'll just note it appears to have a Bates marking  
12 of UNC3.

13 (Exhibit Number 2 was marked for  
14 identification.)

15 A. Uh-huh.

16 Q. Do you recognize this?

17 A. Yes.

18 Q. Okay. And what is this?

19 A. This would be an organizational chart  
20 for the undergraduate admissions office.

21 Q. And is there a date on this chart?

22 A. Yes.

23 Q. And what is that date?

24 A. August 2014.

25 Q. Okay. So I just want to kind of walk

1 through this chart a little bit. You can help me  
2 out with people's responsibilities and that sort  
3 of thing.

4 A. Uh-huh.

5 Q. At the very top of the chart we see  
6 Mr. Farmer.

7 A. Right.

8 Q. He's the senior most university official  
9 and has direct responsibilities for the admission?

10 A. Yes.

11 Q. Is he actually in the admissions office,  
12 is that where his -- organizationally his position  
13 is located?

14 A. Yes.

15 Q. And vice provost title. Wasn't sure if  
16 there was a provost office?

17 A. There is a provost office for the  
18 university.

19 Q. But he's attached to the admissions  
20 office?

21 A. Yes.

22 Q. And then on this chart, as of  
23 August 2014, it looks like he had four people  
24 directly reporting to him, if I'm following the  
25 dotted lines correctly. Maybe a few more, but we

1 can kind of walk through them. Let's start with  
2 Barbara Polk.

3 A. Uh-huh.

4 Q. And she's the title of senior associate  
5 deputy director?

6 A. Yes.

7 Q. What are her basic roles in the  
8 admissions office as of 2014?

9 A. As of 2014, again, primarily she led the  
10 evaluation, and she led the evaluation team, and  
11 also again, primary liaison for athletics in the  
12 office.

13 Q. It looks like she has a number of  
14 reports including you on this chart?

15 A. Yes.

16 Q. Okay. And it includes also, basically,  
17 anyone -- strike that.

18 Under her, we see your name --

19 A. Uh-huh.

20 Q. -- and we see Mr. Perkins who we  
21 previously discussed and we see Ms. Ketchmar, and  
22 then there's Hilda Stephens, do you see that name?

23 A. Uh-huh.

24 Q. Who is --

25 MR. SCUDDER: Make sure you answer

1       families, students who have out-of-state  
2       addresses, may have just recently moved here.

3           Q.    And what is -- as a general matter, how  
4       does the office treat in-state versus out-of-state  
5       applicants?

6           MR. SCUDDER:  Object to the form.

7           A.    Can you define "treat"?

8   BY MR. STRAWBRIDGE:

9           Q.    Do out-of-state applicants generally pay  
10      for in tuition than in-state applicants?

11          A.    Yes.

12          Q.    Is there a limit on the number of  
13      out-of-state applicants that the university will  
14      admit in a given year?

15          A.    Yes.

16          Q.    What is that limit?

17          A.    There's not a particular number.

18          Q.    Okay.  What -- so what you understand  
19      the limit to be?

20          A.    The limit is -- the limit is the number  
21      of students that we can admit to yield us a class  
22      that doesn't go more than 18 percent out-of-state.

23          Q.    Okay.  So it's an enrollment limit as  
24      opposed to an admission limit?

25          A.    Correct.

1 possible.

2 BY MR. STRAWBRIDGE:

3 Q. Do you know whether -- well, strike  
4 that.

5 Are you familiar with the term  
6 "underrepresented minority"?

7 A. Yes.

8 Q. Does that term have a meaning within the  
9 admissions office in your experience?

10 A. Yes.

11 Q. Okay. And what does that term refer to?

12 A. Underrepresented minority would  
13 typically be a student who's not Caucasian or  
14 Asian, so it refers to other groups, other ethnic  
15 and demographic groups.

16 Q. Okay. And is underrepresented minority  
17 typically a term used to describe any recruitment  
18 of non-Caucasian or non-Asian students?

19 A. Yeah, it's used.

20 Q. So outside of communications with  
21 organizations, are you aware of any communications  
22 that people in the UNC office have had regarding  
23 their recruitment efforts of underrepresented  
24 minority with anyone outside the office, not just  
25 organizations?

1 for -- what is the rating program referred to on  
2 that?

3 A. So, actually, you're reading it wrong.

4 So it's "Discuss, practice and rating."

5 Program performance -- program is  
6 something we rate, performance is something we  
7 rate. It's not referring to a rating program  
8 overall.

9 So we do rate a student's program, which  
10 is their curriculum difficulty. We rate their  
11 performance, which would be grades. We rate their  
12 extracurriculars and we rate their essays, and we  
13 also rate for personal qualities.

14 Q. Okay. Are those separate ratings for  
15 each of those categories?

16 A. The student gets five distinct ratings,  
17 one for each of the five categories.

18 Q. Is there a combined rating --

19 A. No.

20 Q. Just five. And how are those ratings  
21 communicated? What is the rating scale?

22 A. So for program performance and  
23 extracurriculars, a student is rated on a scale of  
24 1 to 10. 10 being the highest rating you can get.  
25 For essays and the personal qualities,

1 it's a 1, 3, 5, 7, 10 scale. A 10 being the  
2 highest you can get. It doesn't have as many sort  
3 of distinctions.

4 Q. Okay. So the difference between the  
5 essays and the personal, I guess, is there's more  
6 grades that you could technically receive on the  
7 other categories?

8 A. Yeah. The first three, you could get a  
9 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, and on essays and  
10 personal qualities, it's just 1, 3, 5, 7, 10,  
11 which is, basically, average, above average, below  
12 average.

13 Q. No fractions?

14 A. No.

15 Q. No pluses or minuses?

16 A. No.

17 Q. Okay. And each reader assigns that  
18 rating for each of those categories?

19 A. The first reader, yeah.

20 Q. What about the second readers?

21 A. Second readers, if we're in a training  
22 process, we'll sometimes recommend corrections to  
23 it for new readers if they're not quite  
24 calibrated, and at any time a second reading who's  
25 reading an applicant, if they fully disagree with

1 second reads?

2 A. Yes.

3 MR. STRAWBRIDGE: All right. I think  
4 why don't we break there. I think that's a  
5 good stopping point.

6 (A lunch recess was taken from 12:07 to  
7 12:51 p.m.)

8 BY MR. STRAWBRIDGE:

9 Q. Mr. Rosenberg, let me just ask a couple  
10 follow-up questions about the stuff we were  
11 talking about before lunch. We were talking a  
12 little bit about how the profile scores and  
13 recommendations are marked on the summary sheet,  
14 which I think you said people add comments and  
15 gets increasingly longer.

16 What else shows up on the summary sheet,  
17 if you're sitting there looking at it, what  
18 information is displayed on the summary sheet?

19 A. So at the top of the summary sheet would  
20 be basic information about the applicant name,  
21 address, telephone number. It includes what major  
22 they've put down that they might be interested in.  
23 It will list if they're first year or transfer.  
24 It will list which deadline they applied under or  
25 are they a regular. It will include if they're an

1 alum or not an alum. It will include if they've  
2 had a fee waiver or not fee waiver. Their  
3 ethnicity will be there as well. It will have --  
4 it will also give us the official test scores that  
5 the student has. It will list their high school,  
6 their high school rank -- excuse me -- we enter in  
7 GPA rank information that we have on the  
8 transcript, we'll enter that in. It will also --  
9 and then it shows who the first reader application  
10 is, who --

11 Q. Just let me pause real quick. All the  
12 information you just said, is that automatically  
13 populated from the Common App?

14 A. Yes. It's -- it's populated -- yes, is  
15 the answer, it's populated from the Common App.  
16 We download the Common App information and import  
17 it into Connect. It's all Common App information  
18 and some of it is built-in intelligence, so if a  
19 student lists UNC Chapel Hill for parents'  
20 college, it will automatically populate alum:  
21 "Yes, alum."

22 It has residency on them, whether  
23 resident or nonresidents, and the other part  
24 besides ratings and comments is along the  
25 right-hand side.

1                   There are nomination boxes, so if you  
2 want to nominate them for scholarships, for Excel,  
3 if there's a Dean of Students issues, there's a  
4 box you can check to make markers on an  
5 application to put a category on it so they can be  
6 queried later.

7                   Q. And then you said there's a place to  
8 fill out the profile or the scoring or each of  
9 the --

10                  A. It's a drop-down menu, so you have five  
11 ratings. It's a drop-down menu, and then there's  
12 a line next to it if you want to write a little  
13 bit of text about it.

14                  Q. And then is there a place for sort of  
15 general comments?

16                  A. Yes. There's also a general comment box  
17 and that's basically where you formulate your  
18 decision.

19                  Q. Okay. And then -- and then there's a  
20 separate box that actually captures the admit or  
21 the recommendation to admit?

22                  A. Yes. So there's a box to recommend a  
23 decision with each name, so if I'm the first  
24 reader on a file, you'll see my name. It will say  
25 evaluator one. I will have picked five ratings

1 and written comments, and I will put in my  
2 recommendation for a decision. If that's the only  
3 reader on that application, I'll also take that  
4 decision to put it in the bottom.

5 At the bottom, there's a red field where  
6 you put in the decision. That's the actual  
7 decision that would get released to the student  
8 once we release it. If I send it for a second  
9 read, I would do it electronically. A new box  
10 would be created with a new name. There's no new  
11 ratings. That person just puts their comments and  
12 their recommended decision, and then at that  
13 point, their recommended decision becomes the  
14 decision in the red box until we do our decision  
15 review, if anything's changed.

16 Q. And you said the second reader can  
17 adjust the profile ratings, for example, if they  
18 feel that it's necessary?

19 A. Yes. We'll instruct them that if --  
20 they can change it if they're way off, if it's  
21 between a 5 and a 6, and you're going 6, and  
22 you're going 5, we don't split hairs about it.

23 But if you feel calibrated it's more 8  
24 or 9 and they're putting a 5, they will change it.  
25 The second readers are the most experienced group

1 the person's reporting to, but Michael and I talk  
2 all the time, so --

3 Q. Is Reading Tips referring to something  
4 particular in that bullet point we were looking at  
5 earlier?

6 A. Oh, Reading Tips would typically  
7 amount -- it's kind of -- usually, I'll have newer  
8 readers who have just gone through this process in  
9 the last year or two. Just give them tips to be  
10 successful in reading. That's all -- that's all  
11 that refers to, about keeping up and making sure  
12 certain things to pay attention to, you know, the  
13 calendar, things like that. They'll provide tips,  
14 but that's more off the cuff, it's not anything  
15 formal.

16 Q. And then there's a reference to School  
17 Group Review; do you see that?

18 A. Yes.

19 Q. What is School Group Review?

20 A. School Group Review is -- School Group  
21 Review or Decision Review -- they're used  
22 interchangeably, I think, in our office -- that is  
23 a review that takes place at the end of each  
24 deadline before we release decisions.

25 Q. And to back up a little bit, there are

1 two admissions cycles in a given year.

2 A. There's three if you count transfers.

3 There's two freshman and one transfer.

4 Q. All right. And there's an early action

5 and then a regular decision --

6 A. Yes.

7 Q. -- for the freshman?

8 A. Yes. Early action and regular decision,

9 and then we have one transfer deadline.

10 Q. And where does the transfer deadline

11 fall with respect to the other two?

12 A. Transfer deadline is February 15 and we

13 release those decisions. It's in mid April.

14 Q. What about early action?

15 A. Early action deadline is October 15. We

16 usually release the last week of January.

17 Q. And regular decision?

18 A. Regular decision, the deadline is

19 January 15, and we release typically the last week

20 of March.

21 Q. Okay. If you are -- if you put in for

22 early action, do you get a yes or a no, or is

23 there a deferral process in the early action?

24 A. There is a deferral process.

25 Q. And are those deferrals then acted upon

1 during the regular decision calendar?

2 A. Yes.

3 Q. Is the -- is anything about the  
4 admissions process we just discussed in terms of  
5 the mechanics of the process and the way that  
6 files are read and recommended and ultimately  
7 decided upon, is there any difference with respect  
8 to those cycles other than obviously the times of  
9 the decision?

10 A. You mean do the applications flow the  
11 same way?

12 Q. That's my question.

13 A. Yes.

14 Q. Okay. Including for transfer  
15 applicants?

16 A. Yes. But not all readers read transfers  
17 because we don't need everyone to read them.

18 Q. It's a smaller batch?

19 A. It's a group of about a dozen to 15  
20 readers, rather than 30 to 33 that might be  
21 reading freshman.

22 Q. All right. So -- so for -- there's a  
23 school group review or a decision review process  
24 for each of those cycles that you just mentioned?

25 A. Yes.

1                   Q.    Okay.  So can you describe what's  
2 entailed with the School Group Review?

3                   A.    Sure.  The School Group Review takes  
4 place over about a three-week period at the end of  
5 each deadline, so it's built into our reading  
6 calendar.  So, typically, individual reviews of  
7 applications are due by a certain time, and  
8 typically, that time is at least three -- three to  
9 four weeks before we actually will release  
10 decisions.

11                  The School Group Review is a review of  
12 our overall decision process -- our overall  
13 decision group.  And, typically, what will happen  
14 is Jen Kretchmar will run projections for us and  
15 she'll sort of go over the entire group, if you  
16 will.  She'll look at how many admits we have, how  
17 many defers we have.  She'll separate that by  
18 residency.  And we'll also look at how many  
19 applications may still be read for that deadline.  
20 We have some that might be late completers, so  
21 there might be some still holding on, and project  
22 the rate that those may be admitted.

23                  And, basically, the end result is to  
24 say, we're over- or under admitted.  And it varies  
25 from in-state and out-of-state, so it might be

1 that we're right where we need to be in-state and  
2 over admitted by 200 out-of-state and we need to  
3 pull back those decisions.

4 Q. In your experience in the admissions  
5 office, is there a tendency to have over admitted  
6 or under admitted?

7 A. There's been a tendency -- the long-term  
8 trend, the tendency is to over admit the  
9 out-of-state because there's so few spaces for  
10 out-of-state, and those applicants are so stellar,  
11 that it's hard to say no to some of them, so we --  
12 that's the tendency.

13 In-state it kind of flows up and down.  
14 Sometimes we have room to pull up, sometimes we'll  
15 have to pull down. It varies from deadline to  
16 deadline and year to year, so --

17 Q. What's the source of the name of this,  
18 the School Group Review?

19 A. Sure. So when we review the decisions,  
20 there's two goals in mind. One is to shift a  
21 batch of decisions to get us to the overall target  
22 number of admits and the other is to maintain some  
23 consistency within schools and to look for any  
24 errors that have been made by readers, so just  
25 human error.

1 So what will happen is, if we go to --  
2 let's say we're in the In-state School Group  
3 Review, we will go ahead and we will -- if the  
4 idea is that we have to -- I don't know -- pull  
5 back 100 decisions. So let's say we've over  
6 admitted by 100 and we're going to go and look for  
7 100 to pull back, we'll do it by school. So we'll  
8 look at each school's decisions individually, and  
9 we will look for decisions that we may be able to  
10 change within the context of that school, and we  
11 will also look for any errors that might have been  
12 made.

13 For example, the number one kid in the  
14 class, with stellar marks was denied, and you go  
15 in and look and realize it's human error.  
16 Somebody typed in the wrong decision.

17                   But for the most part, we'll adjust  
18 decisions accordingly within a school. We simply  
19 want to be able to discuss them with counselors if  
20 they call. It's not -- we don't admit, admit,  
21 admit, and then suddenly change to wait list or  
22 defer and then deny. It's never that easy or neat  
23 looking. But it does give our senior group a  
24 chance to go through decisions and make sure we're  
25 comfortable with what we've done and we'll adjust

1 decisions as we go along.

2 Q. Is it batched by school for the sake of  
3 convenience or because those are the people who  
4 are going to have direct knowledge of one another  
5 and you're more likely to call their counselor?

6 MR. SCUDDER: Object to the form.

7 A. It is -- it's really more so for  
8 consistency. So if you have a large high  
9 school -- well, it doesn't have to be large, if  
10 you just have a high school in North Carolina,  
11 let's say, and we have 60 applicants from that  
12 high school, we want to be able to look at those  
13 decisions and if a counselor were to call and say,  
14 "Why did David get in but John didn't?" we want to  
15 be able to look at that and go, "Let me explain to  
16 you what the subtle differences were," versus, "I  
17 don't know. Why did we not admit David?"

18 So we will look at it within a school  
19 and we will make some adjustments for consistency  
20 as well. So we want to make sure that we have  
21 read everyone fairly within the context of their  
22 school environment with, sometimes, an over  
23 arching goal of looking to pull people up or pull  
24 people down.

25 BY MR. STRAWBRIDGE:

1                   Q.     And when you're trying to decide when  
2     to -- when to pull people up and pull people down  
3     in a school group, for example, do you tend to  
4     start at the least academically accomplished in  
5     each high school in terms of who you might at  
6     least first consider dropping?

7                   A.     I can't speak for the way everybody  
8     might go through it. Again, this is just the Tier  
9     2 group that would do this, the second readers. I  
10    actually -- I go student by student like this,  
11    just straight down the page. They're typically  
12    sorted by GPA. And so, typically, you're going to  
13    have the strongest students first, and it might be  
14    three or four pages long, but I just go line by  
15    line like this as I'm looking at students.

16                  Q.     So you start from the top and work your  
17    way down?

18                  A.     Yes.

19                  Q.     But when -- in a typical case where  
20    you're trying to trim students, more often than  
21    not, are you trimming from the bottom up?

22                  A.     Yeah. More often than not, as you start  
23    to see the decisions mixing a bit, you know, there  
24    are some schools where it's really clearly  
25    everyone's admitted in the first two pages, and

1       you get to the third or fourth page and the  
2       decisions start to mix a little bit. Yes, I think  
3       at that point, those are some of the students I'll  
4       initially highlight to go back and look at later.

5           Q.    So what -- so you said they're sorted by  
6       GPA --

7           A.    Yes.

8           Q.    -- within a given school group?

9           A.    Right. If you print that out, it will  
10      be sorted by GPA.

11          Q.    What else is displayed in the school  
12      group review report?

13          A.    So we display GPA. We display rank, if  
14      one exists. We display -- the student's name is  
15      there. We have whether they are in-state or  
16      out-of-state, whether they are alum or not alum.  
17      We have -- a recruiting category can appear so we  
18      would know if it's an athlete or not an athlete.  
19      We would know if they're a first generation  
20      college student. We would know their five ratings  
21      we've given them. We would have their official  
22      test scores listed, and the current decision  
23      that's listed right now on their eval summary.

24          Q.    And you said that Ms. Kretchmar --

25          A.    Kretchmar.

1                   Q.     Is there information on ethnicity in  
2     school group report?

3                   A.     Ethnicity, no.

4                   Q.     Or race?

5                   A.     No. On the school group report, no.

6                   Q.     Did there used to be information about  
7     race on the school group report?

8                   A.     Yes.

9                   Q.     When was that changed?

10                  A.     I don't remember the exact year, but it  
11     was probably three or four years ago that it was  
12     changed.

13                  Q.     Do you know why it was changed?

14                  A.     I think it was changed after the Office  
15     of Civil Rights request -- complaint.

16                  Q.     At any point in the decision review  
17     process is the race or ethnicity of the applicant  
18     available to the second reader or the review  
19     group, I should say?

20                  A.     Yes.

21                  Q.     And how is that available?

22                  A.     Because any applicant we decide to click  
23     in and look at, we're looking right at their eval  
24     summary sheet again and their race and all the  
25     other data I told you about would be up there.

1 Q. One link away?

2 A. You just click on the name. The toolkit  
3 itself for the school group, there's a PDF  
4 printout. But once you go into one name, you can  
5 bring up an electronic version of it, and you just  
6 click on the name and it opens it up.

7 Q. Is that a piece of information that you  
8 have had occasion to look at when you were doing a  
9 School Group Review before?

10 A. Yes.

11 Q. And to what purpose?

12 MR. SCUDDER: Objection.

13 A. The -- in terms of what purpose would I  
14 be looking at the ethnicity?

15 BY MR. STRAWBRIDGE:

16 Q. Yes.

17 A. Again, part of the entire review process  
18 and it's a factor that we can consider, just like  
19 I'll be looking at whether they're first  
20 generation college, whether they're fee waiver  
21 students, and reading the ratings and comments  
22 that other readers have provided.

23 Q. Prior to decisions being released  
24 publicly in any given cycle, what steps, if any,  
25 are taken to determine the racial composition of

1 create a diverse population and we want there to  
2 be enough of a diverse population to make a  
3 positive difference.

4 Q. Is it a goal in any given year to attain  
5 critical mass of underrepresented minorities on  
6 campus?

7 A. It's been mentioned in some of the  
8 documents before about reaching critical mass.  
9 It's not a term we really use much in our office.  
10 But I've seen it before used as a goal, if you  
11 will.

12 Q. Do you have any understanding how the  
13 critical mass goal would actually be measured or  
14 determined to have been satisfied by the  
15 admissions office?

16 A. No. You'd have to ask Steve Farmer.

17 Q. Do you know if anyone else is involved  
18 in trying to determine when the critical mass goal  
19 has been met?

20 A. You would have to ask Steve Farmer or  
21 others that he works with.

22 Q. Have you ever discussed or been a party  
23 to discussions about whether or not race should  
24 cease being a factor used for the admissions  
25 process at the University of North Carolina?

1 initially that would be for PQ.

2 Q. In your experience, is the essay -- the  
3 subject of the essay the primary source of  
4 information you use to provide the PQ rating?

5 A. No.

6 Q. What is the primary source?

7 A. Well, I don't know that there is a  
8 primary source. We certainly will use what we  
9 learned in the essay to help us with that, but we  
10 also have letters of recommendation from teachers  
11 and counselors, and that can also help us make a  
12 PQ rating.

13 Q. And to the extent that someone's  
14 ethnicity was determined to be a factor in favor  
15 of their admission, that would be captured in the  
16 PQ score?

17 A. You're asking me if it's specifically  
18 a -- if it was a factor in their admission?

19 Q. If ethnicity is one of the factors --

20 A. Right.

21 Q. -- that UNC considers with respect to  
22 their applicants?

23 A. Yes.

24 Q. And as a factor, it's sometimes a factor  
25 that can weigh in favor of admission?

1                   A.     Yes.

2                   Q.     And if it was factor that was going to  
3     weigh in favor of an admission, is PQ where it  
4     might manifest itself in the rating system?

5                   A.     Potentially, yes.

6                   Q.     Is there anywhere else where it would  
7     manifest itself in the system?

8                   A.     No, I don't believe so.

9                   Q.     Of course, the ultimate decision to  
10   admit is not necessarily tied to the ratings, so  
11   it could also be a separate consideration, like  
12   SAT score, that helps make the ultimate admit  
13   decision?

14                  A.     One of many factors that we consider  
15   when making an admissions decision.

16                  Q.     Do you guys do any analysis of how --  
17   how the ratings correspond to the ultimate admit,  
18   deny, or wait list decision?

19                  A.     I do know that Jen Kretchmar will run  
20   averages for the ratings, and she has a time -- I  
21   forget when it was, might be over the summer, but  
22   she'll run them so we can see, you know, the  
23   average performance rating for in-state admits was  
24   a 7.9, something along those lines. She'll do the  
25   same for program and the other rating scales.

1 that be critical mass?

2 MR. SCUDDER: Objection.

3 A. I don't know if that would be seen as a  
4 critical mass.

5 BY MR. STRAWBRIDGE:

6 Q. Can you provide, today, any definition  
7 of critical mass?

8 MR. SCUDDER: Objection.

9 A. Again -- again, critical mass would be  
10 having a diverse population in terms of having  
11 underrepresented groups represented in our  
12 population to a point that everyone benefits from  
13 that diverse population.

14 BY MR. STRAWBRIDGE:

15 Q. But you can't provide any more  
16 specificity with respect to what would be  
17 sufficient critical mass?

18 MR. SCUDDER: Objection.

19 A. We've never defined critical mass by a  
20 number or a range in our office.

21 BY MR. STRAWBRIDGE:

22 Q. Has there ever been any discussion  
23 within your office that critical mass has been  
24 reached with respect to any ethnic group?

25 MR. SCUDDER: Objection.

1                   A.    No, I don't believe we've had that  
2                   conversation. I can't recall that ever coming up.

3    BY MR. STRAWBRIDGE:

4                   Q.    You testified you recalled a discussion  
5                   at the Faculty Advisory Committee that critical  
6                   mass -- I'm sorry, that a race-neutral admissions  
7                   policy would result in less diversity than the  
8                   current system at UNC?

9                   A.    Yes. That was something that Jen  
10                  presented on faculty advisory.

11                  Q.    If a race-neutral alternative was shown  
12                  to achieve the same or greater diversity than the  
13                  current use of race, do you believe that's  
14                  something that UNC should consider adopting?

15                  MR. SCUDDER: Objection.

16                  A.    You would have to ask Steve what his  
17                  opinion on it would be. I like the way the review  
18                  holistically, looking at the whole person without  
19                  a particular target in mind for any one group.

20    BY MR. STRAWBRIDGE:

21                  Q.    Even when that includes a person's skin  
22                  color?

23                  MR. SCUDDER: Objection.

24                  A.    I would like to see us be able review  
25                  every aspect of an applicant when making a

1                   A.    Not specifically, because we've had  
2    different leadership in the recruitment for the  
3    last couple of years. So this is not a specific  
4    document that I remember seeing the year before  
5    Michael was here or when Andrea was here. I don't  
6    know that one wasn't produced, but I didn't see  
7    it.

8                   Q.    Okay. And who would use this document?

9                   A.    This document would be used by the  
10   leadership group, and really, would be presented  
11   to the entire recruitment staff to understand what  
12   our goals are and what we're looking to do over  
13   the next -- I guess in this case, six months.

14                  Q.    And let's talk a little bit about the  
15   goals at the top.

16                  A.    Uh-huh.

17                  Q.    The first says to, Increase market share  
18   among key priority demographics that strengthen  
19   diversity.

20                  A.    Uh-huh.

21                  Q.    And the first one is the categories that  
22   we've previously been referring to as  
23   underrepresented minority groups, right?

24                  A.    Yes.

25                  Q.    What do you understand market share to

1 refer to?

2 A. Increasing market share, that would mean  
3 increasing the percentage of those students in our  
4 applicant pool in terms of having them enrolling  
5 at the university.

6 Q. And they're referred to as priority  
7 demographics.

8 A. Uh-huh.

9 Q. And what do you understand priority to  
10 mean?

11 A. Priority demographics would be specific  
12 demographics or students in particular demographic  
13 backgrounds that we feel would enhance diversity.  
14 So these are ones that we tend to talk more about.

15 Again, diversity comes in many ways, but  
16 this is three particular areas of diversity that  
17 we really do want to strengthen.

18 Q. And there's some targets to increase the  
19 number of applications and the yield on this  
20 document?

21 A. Yes.

22 Q. Do you know -- strike that.

23 This isn't the plan for the entering the  
24 class of fall 2016?

25 A. Right.